STATE OF NEW YORK

9891

IN ASSEMBLY

April 26, 2024

Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the taking of horseshoe crabs or the eggs of horseshoe crabs from the waters of this state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 13-0331 of the environmental conservation law, as amended by chapter 447 of the laws of 2017, is amended and a new subdivision 9 is added to read as follows:

1. No person shall take crabs[~~, including horseshoe crabs (Limulus sp.)~~] for commercial purposes without first obtaining a permit from the department. For purposes of this subdivision, a presumption of "commercial purposes" shall be made wherein one takes or lands more than fifty crabs in any one day or sells or barters or offers for sale or barter any crabs he or she has taken. Permits shall be issued to individuals only but may be endorsed for use on a vessel, in which case it shall cover all persons on board such vessel.

9. a. No person shall, beginning on January first, two thousand twenty-five, take horseshoe crabs (Limulus sp.) or the eggs of horseshoe crabs, including for commercial purposes, from the waters of this state.

b. Notwithstanding the provisions of paragraph a of this subdivision, the department may authorize the taking of horseshoe crabs by permit for bona fide educational or scientific purposes provided the department determines that such taking will not cause harm to the horseshoe crab population in this state.

§ 2. This act shall take effect January 1, 2025.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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